

CIVIL SERVICE COMMISSION
REGULAR MONTHLY MEETING
FRIDAY, MARCH 8, 2024

The regular monthly meeting of the City Civil Service Commission was held on Friday, March 8, 2024 in the City Council Chambers, 1300 Perdido Street, New Orleans, LA 70112. Ms. Doddie Smith, Personnel Administrator of the Management Services Division called the roll. Present were Vice-Chairperson John Korn, Commissioner Mark Surprenant, and Commissioner Andrew Monteverde. Commissioner Korn convened the meeting at 10:00 a.m. The Commission then proceeded with the docket. At 11:24 a.m. on the motion of Commissioner Monteverde and the second of Commissioner Surprenant, the Commission voted unanimously to go into executive session.

At 11:58 a.m. the Commission completed its executive session and proceeded with the business portion of the meeting.

Item #1 was the minutes for January 19, 2024. Commissioner Monteverde motioned to approve the minutes. Commissioner Korn seconded the motion, and it was approved unanimously.

Item #2 was the ratification of Public Integrity Bureau (PIB) extension requests. Commissioner Monteverde moved to approve the extension requests. The motion was seconded by Commissioner Surprenant and approved unanimously.

Item #3a under Rule Amendments was proposed amendment to Rule VIII Section 1.5(c) relative to annual leave use and Section 1.6 relative to annual leave at separation. Director Trepanier stated that rule amendment was introduced at the Commission meeting in January and explained that the change will reduce the amount of time a new employee has to wait before being eligible to use accrued annual leave. The Rule currently states that annual leave may only be used after twenty-six consecutive weeks of service. With the amendment, employees will now be able to use accumulated annual leave after eight consecutive weeks of service. Commissioner Monteverde moved to approve the proposed amendment. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #3b was a proposed amendment to Rule II Section 4.18 regarding the date of issuance of disciplinary appeal decisions. Director Trepanier stated that rule amendment was introduced at the Commission meeting in January. The Commission's Executive Counsel, Christina Carroll, explained that with the amendment, decisions of the Civil Service Commission will be considered final on the date of notification of the disposition from the Department of Civil Service, which is consistent with State court practices. Commissioner Surprenant motioned to adopt the proposed amendment. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #4a under Classification and Compensation Matters was a request from the Health Department to create the new classification of Emergency Medical Technician, Recruit. Robert Hagmann, Personnel Administrator of the Classification and Compensation Division, stated that this classification would provide a paid training opportunity for candidates who would like to embark on a career path in emergency medical services. The classification would function as a way to provide training and experience from the Emergency Medical Services Department (EMS) to individuals so that they can become an Emergency Medical Technician, after which they will be promoted to that job classification. Director Trepagnier stated that there has been a national shortage in EMS employees due to gaps in training during the COVID-19 pandemic. She commended the EMS leadership for making the effort to conduct in-house training, similarly to NOPD and NOFD.

Chief of Emergency Medical Services, William Salmeron, stated that the EMT class will consist of 20-24 weeks of training, during which recruits will be trained as an emergency medical responder, participate in field training and patient care, and receive class instruction time to facilitate the passing of their National Registry Test (NRT). Commissioner Monteverde asked the course of action for someone unable to obtain a passing score on the National Registry Test. Director Trepagnier responded that the employee would have up to a year from hire to get their certification before being terminated from the service. Mr. Salmeron stated that individuals are allowed to take the National Registry Test up to three times but are required to do a "refresher" course between re-examinations. After taking the test three times without receiving a passing score, individuals will have to repeat the full training course before they are eligible to register for the NRT again. Chief Salmeron stated that EMS and Civil Services staff have discussed utilizing

screening examinations designed to evaluate if students are ready to take their certification exams and become practicing EMS professionals. He stressed that in addition to this effort EMS will continue to hire individuals who already possess EMT certifications into EMT and Paramedic positions. Commissioner Monteverde moved to approve the request. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #4b was a request from the Mosquito and Termite Control Board for a title, pay grade, and hiring rate change from Field Operations Supervisor (Mosquito Control) to Mosquito Control Operations and Maintenance Supervisor. Mr. Hagmann stated that staff is repurposing the dormant Field Operations Supervisor (Mosquito Control) classification and adding new essential functions such as overseeing departmental fleet, facilities, and warehouse operations. In conjunction with the changes in the essential functions, staff is recommending a change in FLSA status from exempt to non-exempt. The pay grade will change from grade 87 with a hiring rate of \$70,643 to grade 75 with a rate of \$63,960 annually. Commissioner Surprenant moved to approve the request. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #4c was a request from the New Orleans Police Department to create the new classifications of Forensic Quality Assurance Manager and Latent Print Supervisor. Mr. Hagmann stated that the NOPD Crime Lab has a goal of becoming one of the top crime laboratories in the country. In order to achieve this goal, the division has had to improve their staffing and qualifications to obtain certification. The Forensic Quality Assurance Manager will be responsible for ensuring conformance with applicable forensic testing standards and developing and maintaining the laboratory's quality assurance management system. Compensation for this classification will start at \$90,567.

The Latent Print Supervisor's work was formerly performed by a Police Sergeant, a long-term employee with extensive training and experience. This position is being replaced with a civilian position, so that the Crime Lab will have the opportunity to employ an individual who has worked in a certified crime lab. The hiring rates for this position is \$85,112 at pay grade 82. Director Trepagnier stated that the Civil Service Department will continue to work with NOPD to develop the personnel framework in order to make the Crime Lab a success. Commissioner Surprenant moved to approve the request. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #4d was a request from the Sewerage and Water Board to create the new classifications of Legal Administrative Supervisor and Paralegal Supervisor. Mr. Hagmann stated that the Sewerage and Water Board currently has a sizeable legal support staff, so they would like to create a supervisory legal support position to oversee this staff. The first position would be the Paralegal Supervisor, a non-exempt position at pay grade 73 and step 31 with a rate of \$60,859 annually. The second position would be a Legal Administrative Supervisor, a non-exempt position at pay grade 71 step 31 with a rate of \$57,909 annually. These positions are being created with the intent to relieve attorneys of the day-to-day supervisory responsibilities.

Commissioner Surprenant asked how many paralegals were currently employed at Sewerage and Water Board. Mr. Hagmann stated there are six. The responsibilities for the new classifications would include assigning cases to paralegals and monitoring their work progress, providing research and training support to paralegals, and coordinating with attorneys on special or complex projects. Commissioner Surprenant motioned to approve the request. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #5a under Recruitment and Selection Matters was a request for the approval of examination announcements. Commissioner Monteverde moved to approve announcements 10996-11016. The motion was seconded by Commissioner Surprenant and approved unanimously.

Item #6 was a request from the from the Department of Public Works and the New Orleans Recreation Development Commission to transfer the Grounds Patrol function to the Mayor's Office of Public Safety Support Services (PSSS) in accordance with Rule III, Section 8 Transfer of a Functional Unit. Director Trepagnier stated that under Civil Service Rules there is a notice requirement if you move a functional unit from one department to another. The Grounds Patrol Officers in the departments have functionally been reporting to this unit for a number of years, so this request will move these positions to the PSSS budget. This will the human resource functions, simplify disciplinary action in terms of who the appointing authority is, and will allows easier movement in assignment throughout departments. Commissioner Surprenant moved to approve the request.

Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #7 was a request from Senior Police Officer Glenn Washington to change the classification of his injury from Workers Compensation to Injured on Duty. Director Trepagnier cited Civil Service Rules, which state that if a Police Officer is injured in the line of duty while performing certain tasks, the City covers the difference in the portion of the day not covered under Workman's Compensation with no reduction to an employee's sick leave balance. If the incident is not categorized as Injured on Duty (IOD), then an employee can use accrued sick leave to make up the difference. Attorney Donovan Livaccari stated that the Rule provides that the Personnel Director has to receive the request for the classification of injured on duty within thirty days of the incident and that Officer Washington was not at fault for the request not being received by the Civil Service within those thirty days.

Commissioner Surprenant asked Mr. Livaccari to provide more information as to why there was a failure to comply within the time period. Mr. Livaccari responded that incidents where paperwork has not been delivered on time have happened numerous times, and in those instances, the Commission has made an exception to the Rules. Commissioner Monteverde asked if Officer Washington submitted his part of the paperwork timely. Mr. Livaccari responded that Officer Washington did submit his paperwork within thirty days of the incident. Director Trepagnier stated that in the past, when the Commission has granted exceptions to the Rule, it was because the request had been submitted by NOPD. Director Trepagnier cited one of the provisions in Rule VIII, Section 2.5(a), which states that an "employee may be granted sick leave with pay which will not diminish [their] ordinary sick leave accumulation...provided such leave is recommended by the Superintendent of Police." She added that the exceptions made by the Commission that Mr. Livaccari referenced often came as a recommendation for approval by NOPD's Superintendent because NOPD's Human Resource division failed to submit paperwork to the Civil Service Department in a timely manner. Although Officer Washington's incident occurred on October 25, 2024, the Superintendent's office did not receive the paperwork within thirty days, and the Civil Service Department did not receive it until well beyond the time period provided. Attorney Elizabeth Robins stated that Officer Washington's physician did not make an assessment or return the Form 50 until November 20, 2023, which was five days before the

deadline. Thus, the narrative that NOPD failed to be timely in processing the document up the chain of command is incorrect. Mr. Livaccari responded that the Form 50 was not relevant to the assignment of the injury to Workman's Compensation or IOD. The document that assigns an injury is the First Report of Injury, which is to be completed by the supervisor. Additionally, the First Report of Injury did not need to be accompanied by the Form 50 to be signed off on.

Commissioner Korn asked if there was a reason why NOPD did not approve the request as IOD given the documentation reflecting that the injury occurred while Officer Washington was on duty. Ms. Robins responded that the entire IOD package includes the First Report of Injury and other documents such as attendance records. Although the incident occurred on October 25, 2024, Officer Washington returned to duty the following day and days after. Mr. Livaccari stated that Officer Washington shouldn't been penalized for trying to return to work after what he thought was a minor injury, which after medical evaluations turned out to be something greater, requiring multiple medical procedures that will require time off. Commissioner Surprenant stated that given the Superintendent of Police, the Police Department, and the Civil Service Department being in opposition of the request, he was not in favor of going against the precedent. He suggested that if Mr. Livaccari felt that additional communication should take place, he would feel more comfortable passing on the request instead of granting a motion on the request when there is possibly more information to be considered.

Commissioner Monteverde moved to approve the request to classify the injury as Injured on Duty, but the motion did not receive a second, so the motion failed. Commissioner Surprenant moved to defer the item to the next Commission meeting. Commissioner Korn seconded the motion to defer, and it was approved by Commissioners Surprenant and Korn. Commissioner Monteverde voted against the motion to defer. The motion to defer carried.

Item #8 was a request from New Orleans Aviation Board employee Glendon Hines to address the Commission regarding compensation/equal treatment for essential workers who are required to report to work in unsafe weather conditions. Commissioner Monteverde recused himself from this matter. Mr. Glendon Hines spoke on behalf of the Aviation Board's Engineering Department and asked that the language of the Civil Service Rules be changed so that essential workers can receive additional compensation or be allowed to use civil leave in the event that

they are required to report to work in unsafe weather conditions. He argued that in the event of weather conditions being deemed unsafe, essential workers receive no incentive pay for their attendance. They are required to use annual leave if they are absent, while non-essential workers are granted civil leave or have the opportunity to work from home. He shared that these provisions of the Rules negatively impact the morale of essential employees.

Commissioner Korn stated that the Commission addressed a similar situation recently with the NOFD and NOPD, and the bottom line is that when non-essential employees work from home or are granted civil leave, essential employees are not entitled to Emergency Pay unless the Mayor declares an emergency. Director Trepagnier stated that in these situations non-essential employees are required to work from home if they are able, so those that are highly compensated are more often than not still working. Lower-level employees whose function or business operations don't allow for them to make up the time are the employees placed on civil leave.

Commissioner Surprenant stated that there is a procedure to having a Rule amended, whereby the group would come before the Commission to propose an amendment and there would be a period for public comments on the matter. After that, a decision may be made by the Commission. Commissioner Surprenant advised Mr. Hines to follow the procedure. No motion was made by the Commission.

Item #9 was a request from the Information Technology and Innovation Division for an exception to Rule XI Performance Evaluation System relative to the completion of goal planning after the deadline. Director Trepagnier defined the current requirements for the Performance Evaluation System, where there are two deadlines City departments have to meet in order for employees to possibly qualify for merit-based pay: the Goal Setting deadline being January 31st and the Performance Evaluation Rating deadline being April 1st. Chief Information Officer Kimberly LaGrue stated that Information Technology and Innovation staff that formerly reported to a contractor were moved to work under her direction, and during the transition, their goals were not submitted and approved in time to meet the January 31st deadline. Given the circumstances, she asked that the goal planning deadline be waived for the employees and that the staff members not be disqualified or penalized for her tardiness.

Director Trepagnier shared her concern that if the Commission granted exceptions to the timeline, staff would be inundated with similar requests in the future. She added that numerous notifications are sent to City employees and supervisors, thus making it the responsibility of both to communicate with one another to complete the tasks. Commissioner Monteverde stated that if the fault fell on the supervisor, then it should be the supervisor who is penalized, not the employee, as the employee cannot force someone to complete a task. Director Trepagnier responded that although employees cannot complete the goal planning and performance review tasks themselves, they would know this had not been done and would have the responsibility of advocating for themselves.

Commissioner Korn expressed concerns that the motivation for this request was due to Merit Pay being in the budget this year, and asked if there could be a one-time extension for the Goal Planning deadline. Director Trepagnier argued that the deadlines and Rules for Evaluation Planning and Merit Pay have existed as they do for over a decade, and with or without merit-based pay being paid out, departments are expected to be timely in meeting the deadlines for performance evaluations. She suggested that if Ms. LaGrue's request was approved, then a system-wide extension of the Goal Planning period should be made available to all departments. Commissioner Monteverde moved to extend the 2024 goal planning deadline to March 31st. The motion was seconded by Commissioner Korn. Commissioner Monteverde and Korn voted for the motion. Commissioner Surprenant voted against the motion to extend. The motion carried.

There being no additional business to consider, Commissioner Korn moved for adjournment at 1:18 p.m. The motion was seconded by Commissioner Monteverde, and it was approved unanimously.

J H Korn

[J H Korn \(Apr 22, 2024 21:44 CDT\)](#)

John Korn, Vice-Chairperson

Mark C. Surprenant

[Mark C. Surprenant \(Apr 19, 2024 11:49 CDT\)](#)

Mark Surprenant, Commissioner



[Andrew Monteverde \(Apr 19, 2024 10:46 CDT\)](#)

Andrew Monteverde, Commissioner